



**COUNTY OF SALEM
ENGINEER'S OFFICE**

164 Route 45
Salem, New Jersey 08079

Joseph P. Federici, Jr.
County Engineer
(856) 935-7510 ext 8549
FAX (856) 935-7915

March 9, 2009

Remington, Vernick & Walberg Engineers
232 Kings Highway, East
Haddonfield, New Jersey 08033

ATTENTION: Dena Moore, P.E.

RE: Professional Services Agreement
Engineering, Design & Permitting
U.G. Bridge #23.39 on Salem Branch Railroad
Salem County Contract #08-1160-R

Dear Ms. Moore:

For your information and files you will find enclosed a copy of the FRESHWATER WETLANDS GENERAL PERMIT NO. 10A Permit Number #1709-08-0001.1 FW W080001 from the "NJ DEP - Division of Land Use Regulation" for the Project referenced above. This notice was received in this Office on March 9, 2009.

If you have any questions, feel free to give me a call at the number given above.

Sincerely,

Diana Ford
Chief of Adm. Services

ddf

enclosure

cc: James Scull, Director, Public Transportation
Ted Wilkinson, "Federici & Akin"

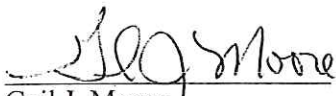


STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION

P.O. Box 439, Trenton, New Jersey 08625-0439
Fax: (609) 777-3656 or (609) 292-8115
www.state.nj.us/dep/landuse

PERMIT



In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.		Approval Date FEB 26 2009
		Expiration Date FEB 26 2014
Permit Number(s) #1709-08-0001.1 FWW080001	Type of Approval(s) Freshwater Wetlands General Permit No. 10A	Enabling Statute(s) N.J.S.A. 58:10A-1
Applicant County of Salem 94 Market Street Salem, NJ 08079		Site Location Block: 8 Lot: 10 Municipality: Township of Pilesgrove County: Salem
Description of Authorized Activities and Limit of Disturbance To remove and reconstruct a railroad bridge spanning Oldmans Creek, in Pilesgrove Township, Salem County. Project results in the disturbance of 5,765 square feet (0.1323 acres) of freshwater wetlands to reconstruct the railroad bridge This permit is authorized under, and in compliance with the Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A-1.1 et seq. The proposed project is as shown on sheet 3 of 15 entitled "Construction Plan, Replacement of U.G. Bridge No. 23.39 Over Oldmans Creek, Township of Pilesgrove, Salem County, New Jersey", dated June, 2008, last revised February 20, 2009, and prepared by Remington, Vernick & Walberg Engineers, N.J.P.E. License #35321. Prepared by  Gail J. Moore		
THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH IN THIS PERMIT.		
		Received or Recorded by County Clerk
This permit is not valid unless authorizing signature appears on the last page.		

STANDARD CONDITIONS:

1. **Extent of approval:**

- a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
- b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
- c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.

2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, **do not begin** construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*.

3. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date

4. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit by submitting the attached construction report. The Construction Reports are also available at www.nj.gov/dep/landuse/.

5. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)

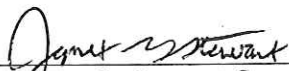
6. **Rights of the State:**

- a. This permit is revocable and subject to modification by the State with due cause.
- b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
- c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.

7. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.

SPECIAL CONDITIONS IN ADDITION TO THE STANDARD CONDITIONS:

8. The disturbance to freshwater wetlands shall be limited to the following:
 - a. The disturbance of 0.1323 acres (5,765 square feet) for the reconstruction of the railroad bridge under Freshwater Wetlands General Permit 10A.
9. Any additional prohibited activities conducted within the standard transition area on-site shall require a separate transition area waiver from the Division. Prohibited activities within a transition area are defined at N.J.A.C. 7:7A-2.6.
10. All excavated material shall be disposed of in a lawful manner outside of any flood hazard area riparian zone, open water, freshwater wetland and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
11. Permitted activities must comply with all applicable requirements at N.J.A.C. 7:7A-4.3, conditions that apply to all general permits.
12. For any excavated area in freshwater wetlands, transition areas, and/or State open waters, the excavation shall be backfilled to the preexisting elevation; the uppermost 18 inches of the excavation shall be backfilled with the original topsoil material if feasible; and the area above the excavation shall be replanted, in accordance with applicable BMPs, with indigenous wetlands species.
13. Prior to the initiation of any demolition or the removal of any structural components of the existing timber pile and steel girder bridge, Salem County shall consult with the Historic Preservation Office (HPO) to establish a scope of work (comparable to Historic American Engineering Record (HAER) Level III) and timetable for the photographic and written recordation of the existing bridge (and also consult with the HPO regarding the opportunity to salvage and reuse (or donate) bridge components such as handrails (if appropriate) and artifacts such as bridge fabricator / builder plates.
14. Salem County shall examine the feasibility of retaining and rehabilitating and reusing the steel girder center span section of the existing bridge.
16. Prior to the initiation of construction, Salem County shall consult with the HPO regarding the feasibility of in-situ retention of some of the existing timber piles and/or timber pile bents.
17. Steel replacement piles and braces shall be coated or colored to evoke the appearance of timber piles. Salem County shall consult with the HPO regarding the proposed color of other steel components of the bridge (pier caps, girders, braces, walkways, and handrails).



Janet L. Stewart, Supervisor
Bureau of Urban Growth & Redevelopment
Division of Land Use Regulation

2/26/09

Date

- c: Bureau of Coastal and Land Use Enforcement, Trenton
Pilesgrove Twp. Construction Official

Adjudicatory Hearing Request Checklist and Tracking Form

I. Permit Decision or Other Department Decision Being Appealed:

Issuance Date of Decision Document

Document Number (If any)

II. Please provide Name, Address and Phone No. of:

Person Requesting Hearing

Name of Attorney (If applicable)

Address

Address

Phone No.

Phone No.

III. If you are the applicant or permittee, please include the following information with your hearing request:

- A. The date you received the permit decision or other decision which you are appealing;
- B. A copy of the decision document;
- C. The findings of fact and conclusions of law you are appealing;
- D. A statement as to whether or not you raised each legal and factual issue during the permit application process;
- E. Suggested revised or alternative permit conditions;
- F. An estimate of the time required for the hearing;
- G. A request, if necessary, for a barrier-free hearing location for physically disabled persons;
- H. A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of our hearing request to the Office of Administrative Law; and
- I. This form completed; signed and dated with all of the information listed above, including attachment to:

1. New Jersey Department of Environmental Protection Office of Legal Affairs
Attention: Adjudicatory Hearing Requests
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402:

With a copy to:

2. New Jersey Department of Environmental Protection
Land Use Regulation Program
Attention: Director
P.O. Box 439
Trenton, NJ 08625-0439

Signature: _____

Date: _____